Remarks

Status of the Claims

Claims 1-26 are in the application, of which claims 1, 17, and 18 are in independent form. Claims 1-17 and 21-26 are allowed.

Claims 18-20 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention; and under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicant acknowledges Examiner's comments and amends claim 18 to obviate these rejections.

35 U.S.C. § 112, Second Paragraph Rejections

Claims 18-20 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner indicated that Claim 18 appears to be "some sort of hybrid of a software program and a process." Claim 18 is amended to clarify that it relates to "[a] self-orthogonal character recognition engine ... comprising ... a character recognition routine[,] ... a recognition subroutine[,] ... a configuration file[,] and an interface." The process portion of the claim is deleted and the claim is reorganized for clarity. The present amendments are merely matters of form and are not directed toward claim scope. For at least these reasons claims 18-20 should be allowed.

35 U.S.C. § 101 Rejections

Claims 18-20 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. The Examiner indicated that Claim 18 appears to be a "[s]oftware, or computer program *per se*," which is "considered functional descriptive material, and [is] nonstatutory." Applicant thanks the examiner for identifying this issue and amends Claim 18 to recite that the self-orthogonal character recognition engine is "embodied in a machine-readable medium". Support for the amendment is found in the

amendment is found in the meaning the claim term "engine". See, e.g., Microsoft Press Computer Dictionary, p. 176 (3d Ed. 1997) (copy attached):

> "**engine** \en'jən\ *n.* A processor or portion of a program that determines how the program manages and manipulates data. The term *engine* is most often used in relation to a specific program; for example, a database engine contains the tools for manipulating a database. . . ."

Further support for the amendment is found in the specification at ¶¶ **[0035]-[0036]**.

A claim to a computer program or software is patentable subject matter provided it produces a "concrete, tangible and useful" result. State St. Bank & Trust Co. v. Signature Fin. Group, 149 F.3d 1368 (Fed. Cir. 1998) (a data processing system for spoke and hub mutual funds was patentable subject matter because it provided a "useful, concrete and tangible result" – a "final share price" that dictated how to allocate the assets between the various mutual funds and that was "momentarily fixed for recording and reporting purposes"). See also In re Lowry, 32 F.3d 1579, 1583, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994) (claim to data structure stored on a computer readable medium that increases computer efficiency held statutory). See also In re Warmerdam, 33 F.3d 1354, 1360, 31 USPQ2d 1754, 1759 (Fed. Cir. 1994) (claim to computer having a specific data structure stored in memory held statutory product-by-process claim).

The character recognition engine of claim 18 provides, among other things, a "validated proposed result string" which, in one embodiment, represents a known mailing address.[1] See specification at ¶ **[0030]**. The validated mailing address might be used to automatically route the envelope to the correct output of a mail sorting machine for ultimate delivery to the addressee, for example. Use of the "validated proposed result string" may, therefore, help avoid hand sorting of mail. See specification at ¶ **[0024]**. Consequently, the "validated proposed result string" in claim 18 is at least as much of a "useful, concrete and tangible result" as the "final share price" was in the State Street Bank case.

For at least these reasons, claims 18-20 should be allowed.

Amendment to the Specification

The title is amended to delete the word "MULTI-LINE", consistent with the scope of the claims.

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[1] Applicant notes that this embodiment is presented only as an example and is in no way intended to narrow claim 18 to the embodiment described.

Amendments to the Drawings

A replacement sheet including Fig. 4 is included to restore parts of the Fig. 4 that were inadvertently omitted from the replacement sheet filed with the Amendment dated November 29, 2004, due to improper printer margin settings (bottom margin). Please note that Fig. 4, as originally filed, contained the restored portion of the enclosed Fig. 4.

Drawing Fig. 6 is amended to add reference characters 622 and 626 which were inadvertently omitted. This amendment finds support in the specification at ¶ [0034].

Conclusion

Applicant believes the application is in condition for allowance and respectfully requests the same. The Examiner is invited to please telephone the undersigned if any issues remain.

Respectfully submitted,

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Amendments to the Drawings:

The attached two sheets of drawings include changes to Figs. 4 and 6, and replace the original sheets including Figs. 1, 4 and 6.

Attachments: replacement sheets (2)